

REMARKS

The Office Action dated April 6, 2004 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 17 and 26-36 have been amended to more particularly point out and distinctly claim the subject matter of the invention. No new matter has been added. Claims 17-36 are pending in the present application and are respectfully submitted for consideration.

Claims 17-21, 24-29 and 31-35 were rejected under 35 U.S.C. § 102(b) as allegedly being unpatentable by U.S. Patent No. 5,479,481 (Koivunen). The Office Action took the position that *Koivunen* taught all the features of claims 17-21, 24-29 and 31-35. Applicant respectfully submits that the presently pending claims recite subject matter that is neither disclosed or suggested by the cited reference.

Claim 17, upon which claims 18-21, 24 and 25 are dependent, recites a method for restoring a subscriber context in a network element of a mobile communication network which comprises at least a first and a second network element. The second network element stores a plurality of subscriber contexts related to the first network element. The method includes transmitting a restart information from the first to the second network element. The restart information indicates whether the first network element has been restarted and whether a subscriber context has been updated in the first network element after the latest restart. The method also includes continuing the use of a subscriber

context updated after the latest restart. The method also includes inactivating the plurality of subscriber contexts which are related to the first network element and have been updated before the latest restart of the first network element.

Claim 26, upon which claims 27-29 are dependent, recites a system for restoring a subscriber context in a network element of a mobile communications network which comprises at least a first and a second network element. The second network element stores a plurality of subscriber contexts related to the first element. The system includes transmitting means for transmitting restart information from the first to the second network element. The restart information indicates whether the first network element has been restarted and whether a subscriber context has been updated in the first network element after the latest restart. The second network element comprises receiving means for receiving the restart information and control means for continuing use of a subscriber context updated after the latest restart and for inactivation of the plurality of subscriber contexts which are stored in the second network element related to the first network element and have been updated before the latest restart, in response to the restart information.

Claim 31, upon which claims 32-35 are dependent, recites a network element for a mobile communication network. The network element includes transmitting means for transmitting a restart information from the network element. The restart information indicates whether the network element has been restarted and whether a subscriber context has been updated in the network element after the latest restart.

As discussed in the specification, the present invention enables an inactivation of all subscriber contexts using a restarted node that has been updated before the latest restart. If a GPRS support node is restarted, only PDP contexts that were activated before the restart and that use the restarted GPRS support node are inactivated. Thus, the present invention allows the immediate freeing of resources reserved for the affected PDP contexts that were activated before the latest restart. It is respectfully submitted that the cited reference fails to disclose or suggest the elements of any of the presently pending claims. Therefore, the cited reference fails to provide the critical and unobvious advantages discussed above.

Koivunen relates to a method for updating subscriber data in a cellular radio system. *Koivunen* describes using a home location register restart number which is compared, in a visitor location register (VLR), with a subscriber-specific restart number of the subscriber. The VLR of *Koivunen* compares these restart numbers when receiving an indication of establishment of a radio connection to the subscriber from a mobile exchange. The location data of the subscriber in the home location register (HLR) are updated, if required, on the basis of the comparison. When the subscriber-specific restart number and the HLR restart number should be equal, *Koivunen* describes the subscriber location data not being updated. Thus, subscriber data of *Koivunen* are either updated in the event of different restart numbers or are not updated in the event of equal restart numbers. *Koivunen*, however, does not disclose or suggest inactivating a plurality of subscriber contexts using a restarted node.

In contrast, claim 17 recites “inactivating the plurality of subscriber contexts which are related to the first network element and have been updated before the latest restart of the first network element”. Independent claims 26 and 31 recite similar features. Applicant respectfully submits that the cited reference does not disclose or suggest at least these features of the pending claims.

Applicant submits that *Koivunen* does not disclose or suggest an inactivation of all subscriber contexts using a restarted node which had been updated before the latest restart. As noted above, *Koivunen* describes subscriber data being updated in the case of different restart numbers, or not being updated in the case of equal restart numbers. This aspect of *Koivunen* does not disclose or suggest a plurality of PDP contexts using the restarted node being inactivated. Thus, not only is an actual subscriber context to be updated processed but that also "old" subscriber contexts for other subscribers are deleted. Applicant submits that *Koivunen* is distinguishable from the pending claims for at least these reasons and that *Koivunen* does not disclose or suggest all the features of claims 17-21, 24-29 and 31-35. Applicant respectfully requests that the anticipation rejection be withdrawn.

Claims 22, 23, 30 and 36 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Koivunen* in view of U.S. Patent No. 6,104,929 (Josse et al.). The Office Action took the position that *Koivunen* disclosed all of the elements of the claims except “wherein said network element is GPRS support node, and wherein said restart information is transmitted together with a tunnel management signalling message

and subscriber context is a PDP context.” *Josse* was cited as curing the deficiencies of *Koivunen*. Applicant submits that claims 22, 23, 30 and 36 are not disclosed or suggested by the cited references, either alone or in combination.

Claims 22, 23, 30, and 36 are dependent on claims 17, 26 and 31 discussed above. Applicant submits that *Josse* does not disclose or suggest those features of claims 17, 26 and 31 missing from *Koivunen*.

Josse relates to a data packet radio service with enhanced mobility management. *Josse* describes the address of a latest serving GPRS support node being provided to a gateway GPRS support node by a special update serving GPRS support node address request message. In response to the address request message, the gateway GPRS support node sends an update service GPRS support node address response message that advises whether the updating of the address for the service GPRS support node at the gateway GPRS support node has been successful. *Josse*, however, does not disclose or suggest inactivating a plurality of subscriber contexts using a restarted node.

In contrast, the present invention, as discussed above, discloses “inactivating the plurality of subscriber contexts which are related to the first network element and have been updated before the latest restart of the first network element,” as recited in claim 17. Independent claims 26 and 34 recite similar features. Applicant respectfully submits that the cited references do not disclose or suggest at least these features of the pending claims.

As noted above, *Koivunen* does not disclose or suggest all the features of the pending claims. Applicants submit that *Josse* does not disclose or suggest those features of claims 17, 26 and 31 missing from *Koivunen*. *Josse* does not disclose or suggest, at the least, inactivating all the subscriber contexts that are stored in a node for use in another node and has been updated before the latest restart. Thus, the claims are distinguishable over the cited references.

Further, because independent claims 17, 26 and 31 are not rendered obvious by the cited references, then claims 22, 23, 30 and 36 are not obvious in view of the cited references. If an independent claim is not obvious, then any claim depending therefrom is also not obvious. MPEP 2143.03. For at least these reasons, Applicant respectfully submits that claims 22, 23, 30 and 36 are not disclosed or suggested by the cited references. Applicant respectfully requests that the obviousness rejection be withdrawn.

It is further submitted that each of claims 17-36 recite subject matter that is neither disclosed nor suggested by the cited references either alone or in combination. It is therefore respectfully requested that all of claims 17-36 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William F. Nixon', is written over a horizontal line.

William F. Nixon

Registration No. 44,262

Customer No. 32294

SQUIRE, SANDERS & DEMPSEY LLP

14TH Floor

8000 Towers Crescent Drive

Tysons Corner, Virginia 22182-2700

Telephone: 703-720-7800

Fax: 703-720-7802

WFN:cct/mm